

TEMPORARY

AMENDED

No. 73446T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 08 2005

Returned to applicant for correction NOV 23 2005

Corrected application filed NOV 21 2005

Map filed DEC 01 2005 under 73445

The applicant **Spring Creek Utilities Company** hereby makes application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **#45921**

1. The source of water is **underground (test well #101)**
2. The amount of water to be changed **1.0 c.f.s.**
3. The water to be used for **same as existing**
4. The water heretofore permitted for **municipal**
5. The water is to be diverted at the following point **within the NW¼ NE¼ Section 17, T.33N., R.57E., M.D.M., from which the NE corner of said Section 17, bears N.74°45'E., 2,615 feet distant.**
6. The existing permitted point of diversion is located within **SW¼ SE¼ Section 18, T.33N., R.57E., M.D.M. from which the SE corner of said Section 18, bears S.54°38'E., 1,725 feet distant.**
7. Proposed place of **see attached description**
S
8. Existing place of use **see attached description**
9. Use will be from **same as existing to same as existing** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled and cased well, gravel packing, cement surface seal, submersible or line shaft pump, electric motor, sanitation equipment.**
12. Estimated cost of works **\$200,000.00**
13. Estimated time required to construct works **six months**
14. Estimated time required to complete the application of water to beneficial use **one year**

15. Remarks: This temporary application is filed for the purpose of permitting selected well driller to commence exploration and logging at this chosen site. Once a proven supply source is developed a permanent change application will be filed.

s/ William A. Nisbet
By William A. Nisbet, Agent
421 Court Street
Elko, NV 89801

Compared mt/sc lt/

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45921 is issued subject to the terms and conditions imposed in said Permit 45921 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 36142, 45913, 45914, 45915, 45916, 45917, 45918, 45919, 45920, 45921, 45922, 45923, 57873, 60578, 61330, 61331, 65385, 72664T and 73446T shall not exceed 2314.6 million gallons annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on December 29, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, not to exceed 235.71 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A-Temporary

Proof of completion of work shall be filed before:

N/A-Temporary

Water must be placed to beneficial use on or before:

N/A-Temporary

Proof of the application of water to beneficial use shall be filed on or before:

N/A-Temporary

Map in support of proof of beneficial use shall be filed on or before:

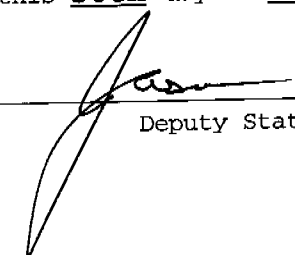
N/A-Temporary

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 30th day of December A.D. 2005

 P.E.
Deputy State Engineer

#7. Proposed

SPRING CREEK UTILITIES CORPORATION

SERVICE AREA & PLACE OF USE

<u>T. 34 N.</u>	<u>R. 56 E.</u>	<u>M.D.M.</u>	<u>Acres</u>
Section 21	All		640
Section 22	W $\frac{1}{2}$		320
Section 27	All		640
Section 28	All		640
Section 29	SE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 33	All		640
Section 34	NW $\frac{1}{4}$		160
<u>T. 33 N.</u>	<u>R. 56 E.</u>	<u>M.D.M.</u>	<u>Acres</u>
Section 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$		40
Section 4	NE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 12	S $\frac{1}{2}$ S $\frac{1}{2}$		160
Section 13	All		640
Section 14	S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; Portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ being within Parcels 3 & 4 of a Parcel Map for Warren & Gloria Garrison, file #148795 & within Lot 1, Block 1, Tract 301		145
Section 15	W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$		400
Section 22	All, except NE $\frac{1}{4}$ NE $\frac{1}{4}$		600
Section 23	N $\frac{1}{2}$		320
Section 24	All		640
Section 25	All		640
<u>T. 33 N.</u>	<u>R. 57 E.</u>	<u>M.D.M.</u>	<u>Acres</u>
Section 7	S $\frac{1}{2}$		320
Section 8	S $\frac{1}{2}$		320
Section 9	W $\frac{1}{2}$ SW $\frac{1}{4}$		80
Section 10	SW $\frac{1}{4}$		160
Section 15	All		640
Section 16	All		640
Section 17	All		640
Section 18	All		640
Section 19	All		640
Section 20	W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$		340
Section 21	S $\frac{1}{2}$ SW $\frac{1}{4}$		80
Section 27	All		640
Section 28	All		640
Section 29	All		640
Section 30	E $\frac{1}{2}$		320
Section 31	NE $\frac{1}{4}$		160
Section 32	N $\frac{1}{2}$, SE $\frac{1}{4}$		480
Section 33	All		640
Section 34	All		640
<u>T. 32 N.</u>	<u>R. 57 E.</u>	<u>M.D.M.</u>	<u>Acres</u>
Section 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4)		40
Section 4	N $\frac{1}{2}$ N $\frac{1}{2}$		160
(Over)		Total - - - -	15,580

SPRING CREEK UTILITIES CORPORATION

#8. Existing

SERVICE AREA & PLACE OF USE

T.34N.	R.56E.	MDM	Acres
Section 21	All		640
Section 22	W $\frac{1}{2}$		320
Section 27	All		640
Section 28	All		640
Section 29	SE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 33	All		640
Section 34	NW $\frac{1}{4}$		160
T.33N.,	R.56E.	MDM	Acres
Section 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$		40
Section 4	NE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 12	S $\frac{1}{2}$ S $\frac{1}{2}$		160
Section 13	All		640
Section 14	S $\frac{1}{2}$ SE $\frac{1}{2}$, SE $\frac{1}{2}$ SW $\frac{1}{2}$		120
Section 15	W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{2}$		400
Section 22	All; except NE $\frac{1}{4}$ NE $\frac{1}{4}$		600
Section 23	N $\frac{1}{2}$		320
Section 24	All		640
Section 25	All		640
T.33N.	R.57E.	MDM	Acres
Section 7	S $\frac{1}{2}$		320
Section 8	S $\frac{1}{2}$		320
Section 9	W $\frac{1}{2}$ SW $\frac{1}{2}$		80
Section 10	SW $\frac{1}{4}$		160
Section 15	All		640
Section 16	All		640
Section 17	All		640
Section 18	All		640
Section 19	All		640
Section 20	W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{2}$.		340
Section 21	S $\frac{1}{2}$ SW $\frac{1}{2}$		80
Section 27	All		640
Section 28	All		640
Section 29	All		640
Section 30	E $\frac{1}{2}$		320
Section 31	NE $\frac{1}{4}$		160
Section 32	N $\frac{1}{2}$, SE $\frac{1}{2}$		480
Section 33	All		640
Section 34	All		640
T.32N.	R.57E.	MDM	Acres
Section 3	NW $\frac{1}{2}$ NW $\frac{1}{2}$ (Lot 4)		40
Section 4	N $\frac{1}{2}$ N $\frac{1}{2}$		160

TOTAL 15,540

(Over)

RECEIVED
2005 NOV 21 PM 1:55
STATE ENGINEERS OFFICE